

General Assembly

Raised Bill No. 1195

January Session, 2023

LCO No. 5390



Referred to Committee on JUDICIARY

Introduced by: (JUD)

AN ACT ESTABLISHING SECONDARY TRAFFIC VIOLATIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (Effective October 1, 2023) No officer may stop a
- 2 vehicle for a violation of any provision of title 14 of the general statutes
- 3 that is only a secondary violation. The provisions of this section shall
- 4 not prohibit enforcement of a secondary violation by automated
- 5 enforcement or by a mailed notice of violation or in the case of a vehicle
- 6 stopped for a violation that is not a secondary violation.
- 7 Sec. 2. Section 14-1 of the general statutes is repealed and the
- 8 following is substituted in lieu thereof (*Effective October 1, 2023*):
- 9 Terms used in this chapter shall be construed as follows, unless
- 10 another construction is clearly apparent from the language or context in
- 11 which the term is used or unless the construction is inconsistent with
- 12 the manifest intention of the General Assembly:
- 13 (1) "Activity vehicle" means a student transportation vehicle that is
- 14 used to transport students in connection with school-sponsored events
- and activities, but is not used to transport students to and from school;

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(2) "Agricultural tractor" means a tractor or other form of nonmuscular motive power used for transporting, hauling, plowing, cultivating, planting, harvesting, reaping or other agricultural purposes on any farm or other private property, or used for the purpose of transporting, from one farm to another, agricultural implements and farm products, provided the agricultural tractor is not used on any highway for transporting a pay load or for some other commercial purpose;

- (3) "Antique, rare or special interest motor vehicle" means a motor vehicle twenty years old or older which is being preserved because of historic interest and which is not altered or modified from the original manufacturer's specifications;
- (4) "Apparent candle power" means an illumination equal to the normal illumination in foot candles produced by any lamp or lamps, divided by the square of the distance in feet between the lamp or lamps and the point at which the measurement is made;
- (5) "Authorized emergency vehicle" means (A) a fire department vehicle, (B) a police vehicle, or (C) an authorized emergency medical services vehicle, as defined in section 19a-175;
- (6) "Autocycle" means a motor vehicle that meets the requirements of a motorcycle under 49 CFR Part 571, and (A) does not have more than three wheels in contact with the ground, (B) is designed to be controlled with a steering mechanism and foot pedals for acceleration, braking or shifting, (C) has a seat or seats that are fully or partially enclosed and in which the occupants sit with their legs forward, and (D) is equipped with safety belts, in accordance with section 14-100a, for all occupants;
- (7) "Auxiliary driving lamp" means an additional lighting device on a motor vehicle used primarily to supplement the general illumination in front of a motor vehicle provided by the motor vehicle's head lamps;
- (8) "Bulb" means a light source consisting of a glass bulb containing a filament or substance capable of being electrically maintained at

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- 48 (9) "Camp trailer" includes any trailer designed for living or sleeping 49 purposes and used exclusively for camping or recreational purposes;
- 50 (10) "Camp trailer registration" means the type of registration issued 51 to any trailer that is for nonbusiness use and is limited to camp trailers 52 and utility trailers;
- 53 (11) "Camp vehicle" means any motor vehicle that is regularly used 54 to transport persons under eighteen years of age in connection with the 55 activities of any youth camp, as defined in section 19a-420;
- 56 (12) "Camper" means any motor vehicle designed or permanently 57 altered in such a way as to provide temporary living quarters for travel, 58 camping or recreational purposes;
- 59 (13) "Class 1 electric bicycle" means an electric bicycle equipped with 60 a motor that engages only when the rider operates the electric bicycle's foot pedals, and disengages when the rider stops pedaling or such 62 electric bicycle reaches the speed of twenty miles per hour;
 - (14) "Class 2 electric bicycle" means an electric bicycle equipped with a motor that may be used exclusively to propel the electric bicycle, and disengages when the brakes are applied or such electric bicycle reaches the speed of twenty miles per hour;
 - (15) "Class 3 electric bicycle" means an electric bicycle equipped with a motor that engages only when the rider operates the electric bicycle's foot pedals, and disengages when the rider stops pedaling or such electric bicycle reaches the speed of twenty-eight miles per hour;
 - (16) "Combination registration" means the type of registration issued to a motor vehicle used for both private passenger and commercial purposes if such vehicle does not have a gross vehicle weight rating in excess of twelve thousand five hundred pounds;
 - (17) "Commercial driver's license" or "CDL" means a license issued to

LCO No. 5390 3 of 31 an individual in accordance with the provisions of sections 14-44a to 14-44m, inclusive, which authorizes such individual to drive a commercial motor vehicle;

- (18) "Commercial driver's license information system" or "CDLIS" means the national database of holders of commercial driver's licenses established by the Federal Motor Carrier Safety Administration pursuant to Section 12007 of the Commercial Motor Vehicle Safety Act of 1986;
- (19) "Commercial motor vehicle" means a vehicle designed or used to transport passengers or property, except a vehicle used for farming purposes in accordance with 49 CFR 383.3(d), fire fighting apparatus or an emergency vehicle, as defined in section 14-283, or a recreational vehicle in private use, which (A) has a gross vehicle weight rating of twenty-six thousand and one pounds or more, or a gross combination weight rating of twenty-six thousand and one pounds or more, inclusive of a towed unit or units with a gross vehicle weight rating of more than ten thousand pounds; (B) is designed to transport sixteen or more passengers, including the driver, or is designed to transport more than ten passengers, including the driver, and is used to transport students under the age of twenty-one years to and from school; or (C) is transporting hazardous materials and is required to be placarded in accordance with 49 CFR 172, Subpart F, as amended, or any quantity of a material listed as a select agent or toxin in 42 CFR Part 73;
- (20) "Commercial registration" means the type of registration required for any motor vehicle designed or used to transport merchandise, freight or persons in connection with any business enterprise, unless a more specific type of registration is authorized and issued by the commissioner for such class of vehicle;
- (21) "Commercial trailer" means a trailer used in the conduct of a business to transport freight, materials or equipment whether or not permanently affixed to the bed of the trailer;
- 107 (22) "Commercial trailer registration" means the type of registration

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issued to any commercial trailer;

- (23) "Commissioner" includes the Commissioner of Motor Vehicles and any assistant to the Commissioner of Motor Vehicles who is designated and authorized by, and who is acting for, the Commissioner of Motor Vehicles under a designation; except that the deputy commissioners of motor vehicles and the Attorney General are deemed, unless the Commissioner of Motor Vehicles otherwise provides, to be designated and authorized by, and acting for, the Commissioner of Motor Vehicles under a designation;
- 117 (24) "Controlled substance" has the same meaning as provided in 118 section 21a-240 and the federal laws and regulations incorporated in 119 chapter 420b;
 - (25) "Conviction" means an unvacated adjudication of guilt, or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or an authorized administrative tribunal, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, the payment of a fine or court cost, or violation of a condition of release without bail, regardless of whether or not the penalty is rebated, suspended or probated;
 - (26) "Dealer" includes any person actively engaged in buying, selling or exchanging motor vehicles or trailers who has an established place of business in this state and who may, incidental to such business, repair motor vehicles or trailers, or cause them to be repaired by persons in his or her employ;
 - (27) "Disqualification" means a withdrawal of the privilege to drive a commercial motor vehicle, which occurs as a result of (A) any suspension, revocation, or cancellation by the commissioner of the privilege to operate a motor vehicle; (B) a determination by the Federal Highway Administration, under the rules of practice for motor carrier safety contained in 49 CFR 386, as amended from time to time, that a person is no longer qualified to operate a commercial motor vehicle under the standards set forth in 49 CFR 391, as amended from time to

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- time; or (C) the loss of qualification which follows any of the convictions or administrative actions specified in section 14-44k;
- 142 (28) "Drive" means to drive, operate or be in physical control of a 143 motor vehicle, including a motor vehicle being towed by another;
- 144 (29) "Driver" means any person who drives, operates or is in physical 145 control of a commercial motor vehicle, or who is required to hold a 146 commercial driver's license;
- 147 (30) "Driver's license" or "operator's license" means a valid 148 Connecticut motor vehicle operator's license or a license issued by 149 another state or foreign jurisdiction authorizing the holder thereof to 150 operate a motor vehicle on the highways;
- 151 (31) "Electric bicycle" means a bicycle equipped with operable foot 152 pedals and an electric motor of fewer than seven hundred fifty watts of 153 power that is either a class 1, class 2 or class 3 bicycle. "Electric bicycle" 154 does not include a dirt bike or an all-terrain vehicle;

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- (32) "Electric foot scooter" means a device (A) that weighs not more than seventy-five pounds, (B) that has two or three wheels, handlebars and a floorboard that can be stood upon while riding, (C) that is powered by an electric motor and human power, and (D) whose maximum speed, with or without human propulsion on a paved level surface, is not more than twenty miles per hour;
- (33) "Employee" means any operator of a commercial motor vehicle, including full-time, regularly employed drivers, casual, intermittent or occasional drivers, drivers under contract and independent owner-operator contractors, who, while in the course of operating a commercial motor vehicle, are either directly employed by, or are under contract to, an employer;
- (34) "Employer" means any person, including the United States, a state or any political subdivision thereof, who owns or leases a commercial motor vehicle, or assigns a person to drive a commercial

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- 171 (35) "Farm implement" means a vehicle designed and adapted 172 exclusively for agricultural, horticultural or livestock-raising operations 173 and which is not operated on a highway for transporting a pay load or 174 for any other commercial purpose;
- 175 (36) "Felony" means any offense, as defined in section 53a-25 and 176 includes any offense designated as a felony under federal law;
- 177 (37) "Fatality" means the death of a person as a result of a motor vehicle accident;
- 179 (38) "Foreign jurisdiction" means any jurisdiction other than a state of the United States;
 - (39) "Fuels" means (A) all products commonly or commercially known or sold as gasoline, including casinghead and absorption or natural gasoline, regardless of their classification or uses, (B) any liquid prepared, advertised, offered for sale or sold for use, or commonly and commercially used, as a fuel in internal combustion engines, which, when subjected to distillation in accordance with the standard method of test for distillation of gasoline, naphtha, kerosene and similar petroleum products by "American Society for Testing Materials Method D-86", shows not less than ten per cent distilled (recovered) below 347° Fahrenheit (175° Centigrade) and not less than ninety-five per cent distilled (recovered) below 464° Fahrenheit (240° Centigrade); provided the term "fuels" does not include commercial solvents or naphthas which distill, by "American Society for Testing Materials Method D-86", not more than nine per cent at 176° Fahrenheit and which have a distillation range of 150° Fahrenheit, or less, or liquefied gases which would not exist as liquids at a temperature of 60° Fahrenheit and a pressure of 14.7 pounds per square inch absolute, and (C) any liquid commonly referred to as "gasohol" which is prepared, advertised, offered for sale or sold for use, or commonly and commercially used, as a fuel in internal combustion engines, consisting of a blend of gasoline and a minimum of ten per cent by volume of ethyl or methyl alcohol;

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(40) "Garage" includes every place of business where motor vehicles are, for compensation, received for housing, storage or repair;

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- (41) "Gross vehicle weight rating" or "GVWR" means the value specified by the manufacturer as the maximum loaded weight of a single or a combination (articulated) vehicle. The GVWR of a combination (articulated) vehicle commonly referred to as the "gross combination weight rating" or GCWR is the GVWR of the power unit plus the GVWR of the towed unit or units;
- 210 (42) "Gross weight" means the light weight of a vehicle plus the 211 weight of any load on the vehicle, provided, in the case of a tractor-212 trailer unit, "gross weight" means the light weight of the tractor plus the 213 light weight of the trailer or semitrailer plus the weight of the load on 214 the vehicle;
- 215 (43) "Hazardous materials" has the same meaning as provided in 49 216 CFR 383.5;
- 217 (44) "Head lamp" means a lighting device affixed to the front of a 218 motor vehicle projecting a high intensity beam which lights the road in 219 front of the vehicle so that it can proceed safely during the hours of 220 darkness;
- 221 (45) "High-mileage vehicle" means a motor vehicle having the 222 following characteristics: (A) Not less than three wheels in contact with 223 the ground; (B) a completely enclosed seat on which the driver sits; (C) 224 a single or two cylinder, gasoline or diesel engine or an electric-powered 225 engine; and (D) efficient fuel consumption;
 - (46) "Highway" includes any state or other public highway, road, street, avenue, alley, driveway, parkway, place or dedicated roadway for bus rapid transit service, under the control of the state or any political subdivision of the state, dedicated, appropriated or opened to public travel or other use;
 - (47) "Imminent hazard" means the existence of a condition that

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- 232 presents a substantial likelihood that death, serious illness, severe
- 233 personal injury or a substantial endangerment to health, property, or the
- 234 environment may occur before the reasonably foreseeable completion
- 235 date of a formal proceeding begun to lessen the risk of that death, illness,
- 236 injury or endangerment;

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- 237 (48) "Intersecting highway" includes any public highway which joins 238 another at an angle whether or not it crosses the other;
- 239 (49) "Light weight" means the weight of an unloaded motor vehicle 240 as ordinarily equipped and ready for use, exclusive of the weight of the 241 operator of the motor vehicle;
- 242 (50) "Limited access highway" means a state highway so designated 243 under the provisions of section 13b-27;
 - (51) "Local authorities" includes the board of aldermen, common council, chief of police, warden and burgesses, board of selectmen or other officials having authority for the enactment or enforcement of traffic regulations within their respective towns, cities or boroughs;
 - (52) "Maintenance vehicle" means any vehicle in use by the state or by any town, city, borough or district, any state bridge or parkway authority or any public service company, as defined in section 16-1, in the maintenance of public highways or bridges and facilities located within the limits of public highways or bridges;
 - (53) "Manufacturer" means (A) a person, whether a resident or nonresident, engaged in the business of constructing or assembling new motor vehicles of a type required to be registered by the commissioner, for operation upon any highway, except a utility trailer, which are offered for sale in this state, or (B) a person who distributes new motor vehicles to new car dealers licensed in this state;
 - (54) "Median divider" means an intervening space or physical barrier or clearly indicated dividing section separating traffic lanes provided for vehicles proceeding in opposite directions;

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262 (55) "Modified antique motor vehicle" means a motor vehicle twenty years old or older which has been modified for safe road use, including, but not limited to, modifications to the drive train, suspension, braking system and safety or comfort apparatus;

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- (56) "Motor bus" includes any motor vehicle, except a taxicab, as defined in section 13b-95, operated in whole or in part on any street or highway in a manner affording a means of transportation by indiscriminately receiving or discharging passengers, or running on a regular route or over any portion of a regular route or between fixed termini;
- 272 (57) "Motor home" means a vehicular unit designed to provide living quarters and necessary amenities which are built into an integral part 274 of, or permanently attached to, a truck or van chassis;
 - (58) "Motor-driven cycle" means any of the following vehicles that have a seat height of not less than twenty-six inches and a motor having a capacity of less than fifty cubic centimeters piston displacement: (A) A motorcycle, other than an autocycle; (B) a motor scooter; or (C) a bicycle with attached motor, except an electric bicycle;
 - (59) "Motor vehicle" means any vehicle propelled or drawn by any nonmuscular power, except aircraft, motor boats, road rollers, baggage trucks used about railroad stations or other mass transit facilities, electric battery-operated wheel chairs when operated by persons with physical disabilities at speeds not exceeding fifteen miles per hour, golf carts operated on highways solely for the purpose of crossing from one part of the golf course to another, golf-cart-type vehicles operated on roads or highways on the grounds of state institutions by state employees, agricultural tractors, farm implements, such vehicles as run only on rails or tracks, self-propelled snow plows, snow blowers and lawn mowers, when used for the purposes for which they were designed and operated at speeds not exceeding four miles per hour, whether or not the operator rides on or walks behind such equipment, motor-driven cycles, as defined in section 14-286, special mobile

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- equipment, as defined in section 14-165, mini-motorcycles, as defined in section 14-289j, electric bicycles, electric foot scooters and any other vehicle not suitable for operation on a highway;
- (60) "Motorcycle" means (A) an autocycle, as defined in this section, or (B) a motor vehicle, with or without a side car, that has (i) not more than three wheels in contact with the ground, (ii) a saddle or seat which the rider straddles or a platform on which the rider stands, and (iii) handlebars with which the rider controls the movement of the vehicle. "Motorcycle" does not include a motor-driven cycle, an electric bicycle or an electric foot scooter;
- 304 (61) "National Driver Registry" or "NDR" means the licensing 305 information system and database operated by the National Highway 306 Traffic Safety Administration and established pursuant to the National 307 Driver Registry Act of 1982, as amended;
- 308 (62) "New motor vehicle" means a motor vehicle, the equitable or 309 legal title to which has never been transferred by a manufacturer, 310 distributor or dealer to an ultimate consumer;
- 311 (63) "Nonresident" means any person whose legal residence is in a 312 state other than Connecticut or in a foreign country;
- 313 (64) "Nonresident commercial driver's license" or "nonresident CDL" 314 means a commercial driver's license issued by a state to an individual 315 who resides in a foreign jurisdiction;
- 316 (65) "Nonskid device" means any device applied to the tires, wheels, 317 axles or frame of a motor vehicle for the purpose of increasing the 318 traction of the motor vehicle;
- 319 (66) "Number plate" means any sign or marker furnished by the 320 commissioner on which is displayed the registration number assigned 321 to a motor vehicle by the commissioner;
- 322 (67) "Officer" includes any constable, state marshal, inspector of 323 motor vehicles, state policeman or other official authorized to make

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- 324 arrests or to serve process, provided the officer is in uniform or displays
- 325 the officer's badge of office in a conspicuous place when making an
- 326 arrest;
- 327 (68) "Operator" means any person who operates a motor vehicle or 328 who steers or directs the course of a motor vehicle being towed by
- 329 another motor vehicle and includes a driver;
- 330 (69) "Out-of-service order" means an order (A) issued by a person
- having inspection authority, as defined in regulations adopted by the
- 332 commissioner pursuant to section 14-163c, or by an authorized official
- of the United States Department of Transportation Federal Motor
- Carrier Safety Administration pursuant to any provision of federal law,
- to prohibit any motor vehicle specified in subsection (a) of section 14-
- 336 163c from being operated on any highway, or to prohibit a driver from
- operating any such motor vehicle, or (B) issued by the United States
- 338 Department of Transportation Federal Motor Carrier Safety
- 339 Administration, pursuant to any provision of federal law, to prohibit
- any motor carrier, as defined in Section 386.2 of Title 49 of the Code of
- 341 Federal Regulations, from engaging in commercial motor vehicle
- 342 operations;
- 343 (70) "Owner" means any person holding title to a motor vehicle, or
- having the legal right to register the same, including purchasers under
- 345 conditional bills of sale;
- 346 (71) "Parked vehicle" means a motor vehicle in a stationary position
- 347 within the limits of a public highway;
- 348 (72) "Passenger and commercial motor vehicle" means a motor
- 349 vehicle used for private passenger and commercial purposes which is
- 350 eligible for combination registration;
- 351 (73) "Passenger motor vehicle" means a motor vehicle used for the
- 352 private transportation of persons and their personal belongings,
- designed to carry occupants in comfort and safety, with a capacity of
- 354 carrying not more than ten passengers including the operator thereof;

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(74) "Passenger registration" means the type of registration issued to a passenger motor vehicle unless a more specific type of registration is authorized and issued by the commissioner for such class of vehicle;

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- (75) "Person" includes any individual, corporation, limited liability company, association, copartnership, company, firm, business trust or other aggregation of individuals but does not include the state or any political subdivision thereof, unless the context clearly states or requires;
- 363 (76) "Pick-up truck" means a motor vehicle with an enclosed forward 364 passenger compartment and an open rearward compartment used for 365 the transportation of property;
- 366 (77) "Pneumatic tires" means tires inflated or inflatable with air;
- (78) "Pole trailer" means a trailer which is (A) intended for transporting long or irregularly shaped loads such as poles, logs, pipes or structural members, which loads are capable of sustaining themselves as beams between supporting connections, and (B) designed to be drawn by a motor vehicle and attached or secured directly to the motor vehicle by any means including a reach, pole or boom;
- 373 (79) "Public passenger endorsement" means an endorsement issued 374 to an individual, which authorizes such individual to transport 375 passengers, including, but not limited to, passengers who are students 376 in accordance with subsection (b) or (c) of section 14-36a;
- 377 (80) "Recreational vehicle" includes the camper, camp trailer and motor home classes of vehicles;
- 379 (81) "Registration" includes the certificate of motor vehicle 380 registration and the number plate or plates used in connection with such 381 registration;
- 382 (82) "Registration number" means the identifying number or letters, 383 or both, assigned by the commissioner to a motor vehicle;

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(83) "Resident", for the purpose of registering motor vehicles, includes any person who is a legal resident of this state, as the commissioner may presume from the fact that such person occupies a place of dwelling in this state for more than six months in a year, or any person, firm or corporation owning or leasing a motor vehicle used or operated in intrastate business in this state, or a firm or corporation having its principal office or place of business in this state;

- (84) "School bus" means any school bus, as defined in section 14-275, including a commercial motor vehicle used to transport preschool, elementary school or secondary school students from home to school, from school to home, or to and from school-sponsored events, but does not include a bus used as a common carrier;
- (85) "Second" violation or "subsequent" violation means an offense committed not more than three years after the date of an arrest which resulted in a previous conviction for a violation of the same statutory provision, except in the case of a violation of section 14-215, 14-224, 14-227a or 14-227m, "second" violation or "subsequent" violation means an offense committed not more than ten years after the date of an arrest which resulted in a previous conviction for a violation of the same statutory provision;
- (86) "Secondary violation" means a violation of any provision of this title that may be enforced only in accordance with the provisions of section 1 of this act;
- [(86)] (87) "Semitrailer" means any trailer type vehicle designed and used in conjunction with a motor vehicle so that some part of its own weight and load rests on or is carried by another vehicle;
 - [(87)] (88) "Serious traffic violation" means a conviction of any of the following offenses: (A) Excessive speeding, involving a single offense in which the speed is fifteen miles per hour or more above the posted speed limit, in violation of section 14-218a or 14-219; (B) reckless driving in violation of section 14-222; (C) following too closely in violation of section 14-240 or 14-240a; (D) improper or erratic lane changes, in

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416 violation of section 14-236; (E) using a hand-held mobile telephone or 417 other electronic device or typing, reading or sending text or a text 418 message with or from a mobile telephone or mobile electronic device in 419 violation of subsection (e) of section 14-296aa while operating a 420 commercial motor vehicle; (F) driving a commercial motor vehicle 421 without a valid commercial driver's license in violation of section 14-36a 422 or 14-44a; (G) failure to carry a commercial driver's license in violation 423 of section 14-44a; (H) failure to have the proper class of license or 424 endorsement, or violation of a license restriction in violation of section 425 14-44a; or (I) a violation of any provision of chapter 248, by an operator 426 who holds a commercial driver's license or instruction permit that 427 results in the death of another person;

[(88)] (89) "Service bus" includes any vehicle except a vanpool vehicle or a school bus designed and regularly used to carry ten or more passengers when used in private service for the transportation of persons without charge to the individual;

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- [(89)] (90) "Service car" means any motor vehicle used by a manufacturer, dealer or repairer for emergency motor vehicle repairs on the highways of this state, for towing or for the transportation of necessary persons, tools and materials to and from the scene of such emergency repairs or towing;
- [(90)] (91) "Shoulder" means that portion of a highway immediately adjacent and contiguous to the travel lanes or main traveled portion of the roadway;
- [(91)] (92) "Solid tires" means tires of rubber, or other elastic material approved by the Commissioner of Transportation, which do not depend on confined air for the support of the load;
- [(92)] (93) "Spot lamp" or "spot light" means a lighting device projecting a high intensity beam, the direction of which can be readily controlled for special or emergency lighting as distinguished from ordinary road illumination;

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447 [(93)] (94) "State" means any state of the United States and the District 448 of Columbia unless the context indicates a more specific reference to the 449 state of Connecticut; 450 [(94)] (95) "Stop" means complete cessation of movement; 451 [(95)] (96) "Student" means any person under the age of twenty-one 452 years who is attending a preprimary, primary or secondary school 453 program of education; 454 [(96)] (97) "Tail lamp" means a lighting device affixed to the rear of a 455 motor vehicle showing a red light to the rear and indicating the presence 456 of the motor vehicle when viewed from behind; 457 [(97)] (98) "Tank vehicle" means any commercial motor vehicle 458 designed to transport any liquid or gaseous material within a tank that 459 is either permanently or temporarily attached to the vehicle or its 460 chassis, which includes, but is not limited to, a cargo tank and portable 461 tank, as defined in 49 CFR 383.5, as amended, provided it does not 462 include a portable tank with a rated capacity not to exceed one thousand 463 gallons; 464 [(98)] (99) "Tractor" or "truck tractor" means a motor vehicle designed 465 and used for drawing a semitrailer; 466 [(99)] (100) "Tractor-trailer unit" means a combination of a tractor and 467 a trailer or a combination of a tractor and a semitrailer; 468 [(100)] (101) "Trailer" means any rubber-tired vehicle without motive 469 power drawn or propelled by a motor vehicle; 470 [(101)] (102) "Truck" means a motor vehicle designed, used or 471 maintained primarily for the transportation of property; 472 [(102)] (103) "Ultimate consumer" means, with respect to a motor

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vehicle, the first person, other than a dealer, who in good faith purchases

the motor vehicle for purposes other than resale;

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[(103)] (104) "United States" means the fifty states and the District of Columbia;

- [(104)] (105) "Used motor vehicle" includes any motor vehicle which has been previously separately registered by an ultimate consumer;
- [(105)] (106) "Utility trailer" means a trailer designed and used to transport personal property, materials or equipment, whether or not permanently affixed to the bed of the trailer;
 - [(106)] (107) "Vanpool vehicle" includes all motor vehicles, the primary purpose of which is the daily transportation, on a prearranged nonprofit basis, of individuals between home and work, and which: (A) If owned by or leased to a person, or to an employee of the person, or to an employee of a local, state or federal government unit or agency located in Connecticut, are manufactured and equipped in such manner as to provide a seating capacity of at least seven but not more than fifteen individuals, or (B) if owned by or leased to a regional ridesharing organization in the state recognized by the Commissioner of Transportation, are manufactured and equipped in such manner as to provide a seating capacity of at least six but not more than nineteen individuals;
 - [(107)] (108) "Vehicle" includes any device suitable for the conveyance, drawing or other transportation of persons or property, whether operated on wheels, runners, a cushion of air or by any other means. The term does not include devices propelled or drawn by human power or devices used exclusively on tracks;
 - [(108)] (109) "Vehicle identification number" or "VIN" means a series of Arabic numbers and Roman letters that is assigned to each new motor vehicle that is manufactured within or imported into the United States, in accordance with the provisions of 49 CFR 565, unless another sequence of numbers and letters has been assigned to a motor vehicle by the commissioner, in accordance with the provisions of section 14-149;

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[(109)] (110) "Wrecker" means a vehicle which is registered, designed, equipped and used for the purposes of towing or transporting wrecked or disabled motor vehicles for compensation or for related purposes by a person, firm or corporation licensed in accordance with the provisions of subpart (D) of part III of this chapter or a vehicle contracted for the consensual towing or transporting of one or more motor vehicles to or from a place of sale, purchase, salvage or repair.

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- 513 Sec. 3. Subdivision (1) of section 14-212 of the general statutes is 514 repealed and the following is substituted in lieu thereof (Effective October 515 1, 2023):
- 516 (1) The following terms shall be construed as they are defined in 517 section 14-1, as amended by this act: "Agricultural tractor", "authorized 518 emergency vehicle", "class 1 electric bicycle", "class 2 electric bicycle", 519 "class 3 electric bicycle", "commissioner", "driver", "electric bicycle", 520 "electric foot scooter", "fuels", "gross weight", "head lamp", "high-521 mileage vehicle", "highway", "light weight", "limited access highway", 522 "maintenance vehicle", "motor bus", "motorcycle", "motor vehicle 523 registration", "nonresident", "nonskid device", "number plate", "officer", 524 "operator", "owner", "passenger motor vehicle", "passenger and commercial motor vehicle", "person", "pneumatic tires", "pole trailer", 525 526 "registration", "registration number", "second offense", "secondary 527 violation", "semitrailer", "shoulder", "solid tires", "stop", "subsequent offense", "tail lamp", "tank vehicle", "tractor", "tractor-trailer unit", 528 529 "trailer", "truck" and "vanpool vehicle";
- 530 Sec. 4. Subsections (f) and (g) of section 14-99g of the general statutes are repealed and the following is substituted in lieu thereof (Effective 532 October 1, 2023):
 - (f) Any person who violates any provision of subsections (b) to (e), inclusive, of this section shall be deemed to have committed an infraction for each offense. Any person who violates any provision of subsection (b) of this section shall remove such object or material which obstructs [his] such person's clear and full view of the road and report

LCO No. 5390 18 of 31 within sixty days to the police department which issued the infractions complaint to present [his] <u>such person's</u> vehicle for inspection and to demonstrate compliance with the provisions of this section. If such person fails to report to such police department and is cited for a subsequent violation of this section, his vehicle shall be impounded after notice and opportunity for hearing. <u>A violation of any provision of subsections</u> (b) to (e), inclusive, of this section is a secondary violation.

- (g) Any person owning a vehicle having a window which has been tinted or darkened with any tinted material after factory delivery, shall present such vehicle to the Department of Motor Vehicles, by July 1, 1996, to receive a sticker for any tinted or darkened window to indicate such tinting or darkening is in compliance with this section. Any person operating a motor vehicle, on or after July 1, 1996, in violation of this subsection shall be deemed to have committed an infraction. A violation of any provision of this subsection is a secondary violation.
- Sec. 5. Subsections (a) to (c), inclusive, of section 14-18 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):
 - (a) (1) Each motor vehicle for which one number plate has been issued shall, while in use or operation upon any public highway, display in a conspicuous place at the rear of such vehicle the number plate. The commissioner may issue a sticker denoting the expiration date of the registration. Such sticker shall be displayed in such place on the vehicle as the commissioner may direct. Such sticker may contain the corresponding letters and numbers of the registration and number plate issued by the commissioner.
 - (2) Each motor vehicle for which two number plates have been issued shall, while in use or operation upon any public highway, display in a conspicuous place at the front and the rear of such vehicle the number plates. Displaying a number plate against a vehicle's rear window is a secondary violation, provided the numerals and letters on any such number plate are plainly legible. The commissioner may issue a sticker

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- denoting the expiration date of the registration. Such sticker shall be displayed in such place on the vehicle as the commissioner may direct. Such sticker may contain the corresponding letters and numbers of the number plate issued by the commissioner.
- 574 (b) Repealed by 1969, P.A. 247, S. 1.

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(c) Official number plates when displayed upon motor vehicles shall be [entirely] substantially unobscured and the numerals and letters thereon shall be plainly legible at all times. Such number plates shall be horizontal, and shall be fastened so as not to swing. [and, during the time when a motor vehicle is required to display lights, the rear number plate shall be so illuminated as to be legible at a distance of fifty feet.] Nothing may be affixed to a motor vehicle or to the official number plates displayed on such vehicle that obscures or impairs the visibility of [any information] the numerals and letters on such number plates. Not more than one number plate shall be displayed on the front or rear of any motor vehicle in operation upon the public highways of the state; provided any motor vehicle may, upon permission of the commissioner, display more than one number plate in front or rear, subject to such conditions as the commissioner prescribes. If any number plate supplied by the commissioner is lost, or if the registered number thereon becomes mutilated or illegible, the owner of or the person in control of the motor vehicle for which such number plate was furnished shall immediately place a temporary number plate bearing said registration number upon such motor vehicle, which temporary number plate shall conform to the regular number plate and shall be displayed as nearly as possible as herein provided for such regular number plate; and such owner shall, within forty-eight hours after such loss or mutilation of the number plate, give notice thereof to the commissioner and apply for a new number plate. The commissioner may issue a permit to operate with such temporary plate and shall supply new number plates upon payment of the fee therefor as provided in section 14-50a. Upon receipt of such new number plates and new certificate, the remaining old number plate, if any, and certificate shall be surrendered to the commissioner.

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Sec. 6. Section 14-96a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):

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- (a) Every vehicle upon a highway within this state shall display such lighted lamps and illuminating devices as may be required under the provisions of this section and sections [14-96a] 14-96b to 14-96aa, inclusive, (1) at any time from a half-hour after sunset to a half-hour before sunrise, (2) at any time when, due to insufficient light or unfavorable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of five hundred feet ahead, and (3) at any time during periods of precipitation, including, but not limited to, periods of snow, rain or fog.
- (b) Whenever in said sections any requirement is declared as to distance from which certain lamps and devices shall render objects visible or within which such lamps or devices shall be visible, such requirement shall apply during the times stated in subsection (a) of this section in respect to a vehicle without load when upon a straight, level, unlighted highway under normal atmospheric conditions unless a different time or condition is expressly stated.
- (c) Whenever in said sections any requirement is declared as to the mounted height of lamps or devices, such requirement shall mean the height measured from the center of such lamps or devices to the level ground upon which the vehicle stands when such vehicle is without a load.
- (d) Failure to [provide lighted] illuminate lamps and illuminating 628 devices at such time as required by this section shall be an infraction.
 - (e) To the extent that a violation concerning the number, placement, intensity of lamps or illuminating devices or any other technical specifications concerning lamps or illuminating devices provided for in sections 14-96b to 14-96aa, inclusive, would also constitute a violation under this section, such violation shall be enforced under sections 14-96b to 14-96aa, inclusive, and not under this section.

Sec. 7. Section 14-96c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):

- (a) After October 1, 1967, every motor vehicle, trailer, semitrailer and pole trailer, and any other vehicle which is being drawn at the end of a combination of vehicles, shall be equipped with at least two tail lamps mounted on the rear, which, when lighted as required in subsection (a) of section 14-96a, as amended by this act, shall emit a red light plainly visible from a distance of one thousand feet to the rear, except that passenger cars manufactured or assembled prior to October 1, 1957, and motorcycles shall have at least one such tail lamp. On a combination of vehicles, only the tail lamps on the rearmost vehicle need actually be seen from the distance specified. On vehicles equipped with more than one tail lamp, the lamps shall be mounted on the same level and as widely spaced laterally as practicable.
- (b) Every tail lamp upon every vehicle shall be located at a mounted height of not more than seventy-two inches nor less than fifteen inches.
- (c) The rear registration plate shall be so illumined with a white light as to render it clearly legible from a distance of fifty feet to the rear. Any tail lamp or tail lamps, together with any separate lamp or lamps for illuminating the rear registration plate, shall be so wired as to be lighted whenever the head lamps or auxiliary driving lamps are lighted, except that any vehicle equipped by the manufacturer with daytime running lamps which meet federal requirements may have such daytime running lamps illuminated without illumination of the tail lamps or rear registration plate.
- (d) Failure to have tail lamps or failure to illuminate the rear registration plate as required in this section shall be an infraction. Failure to have two functioning tail lamps shall be a secondary violation if the vehicle has one illuminated and functioning tail lamp. Failure to illuminate the rear registration plate shall be a secondary offense.
- Sec. 8. Section 14-96d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):

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(a) Each motor vehicle, trailer, semitrailer and pole trailer shall carry
 on the rear, either as a part of the tail lamps or separately, two or more
 red reflectors meeting the requirements of this section. Each motorcycle
 shall carry at least one such reflector.

- (b) Each such reflector shall be mounted on the vehicle at a height of not less than fifteen inches nor more than sixty inches, and shall be of such size and characteristics and so mounted as to be visible at night from all distances within three hundred fifty feet to one hundred feet from such vehicle when directly in front of upper beams of head lamps.
- (c) Failure to carry and mount reflectors as required in this section shall be an infraction. <u>Failure to carry and mount two reflectors shall be</u> a secondary violation if a vehicle has one reflector.
- Sec. 9. Section 14-96e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):
 - (a) Each motor vehicle, trailer, semitrailer and pole trailer shall be equipped with two or more stop lamps meeting the requirements of subsection (a) of section 14-96r, except that passenger motor vehicles manufactured or assembled prior to October 1, 1957, and motorcycles shall be equipped with at least one stop lamp. On a combination of vehicles, only the stop lamps on the rearmost vehicle need actually be seen from the distance specified.
 - (b) Each motor vehicle in use on a highway shall be equipped with, and required signals shall be given by, a turn signal lamp or lamps complying with the requirements of the Code of Federal Regulations, Title 49, Section 571.108, as amended from time to time.
 - (c) Failure to equip vehicles with stop lamps or a turn signal lamp or lamps or turn signal devices as required by this section shall be an infraction. Failure to equip a vehicle with two or more functioning stop lamps shall be a secondary violation if the vehicle has one functioning stop lamp and is otherwise in compliance with the provisions of subsection (a) of this section.

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Sec. 10. Section 14-96y of the general statutes is repealed and the 699 following is substituted in lieu thereof (*Effective October 1, 2023*):

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- (a) [At all times specified in subsection (a) of section 14-96a, at least two lighted lamps shall be displayed, one on each side at the front of every motor vehicle other than a motorcycle, except when Each motor vehicle, other than a motorcycle, shall have at least two functioning head lamps, one of which shall be located on each side at the front of such vehicle, except when such vehicle is parked subject to the regulations governing lights on parked vehicles.
- (b) Whenever a motor vehicle equipped with head lamps as herein required is also equipped with any auxiliary lamps or a spot lamp or any other lamp on the front thereof projecting a beam of intensity greater than three hundred candlepower, not more than a total of four of any such lamps on the front of a vehicle shall be lighted at any one time when upon a highway.
- (c) Failure to have two functioning head lamps as required by this section shall be an infraction. Failure to have two functioning head lamps shall be a secondary violation if the vehicle has one lighted head lamp and is otherwise in compliance with the provisions of subsection (a) of this section.
- 718 Sec. 11. Section 14-99f of the general statutes is repealed and the 719 following is substituted in lieu thereof (*Effective October 1, 2023*):
- 720 (a) Each motor vehicle shall be equipped with a windshield of a type prescribed by section 14-100 and a windshield cleaner or wiper in 722 effective working order located directly in front of the operator while in 723 use on the highway. The windshield shall be reasonably free of defects 724 and accumulations, inside and out, of snow, ice, condensation and dirt. 725 The provisions of this subsection shall not apply to a motorcycle or a 726 vehicle designed by the manufacturer for nonhighway operation 727 without a windshield.
 - (b) No person shall operate a motor vehicle required to be equipped

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- (c) No article, device, sticker or ornament shall be attached or affixed to or hung on or in any motor vehicle in such a manner or location as to interfere with the operator's unobstructed view of the highway or to distract the attention of the operator.
- 735 (d) Violation of any provision of this section shall be an infraction. <u>A</u>
 736 <u>violation of subsection (c) of this section shall be a secondary violation</u>
 737 if the obstruction of the windshield is not substantial.
- Sec. 12. Subsection (a) of section 14-12 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October* 1, 2023):
 - (a) No motor vehicle shall be operated, towed or parked on any highway, except as otherwise expressly provided, unless it is registered with the commissioner, provided any motor vehicle may be towed for repairs or necessary work if it bears the number plates of a licensed and registered dealer, manufacturer or repairer and provided any motor vehicle which is validly registered in another state may, for a period of ninety days following establishment by the owner of residence in this state, be operated on any highway without first being registered with the commissioner. Except as otherwise provided in this subsection, (1) a person commits an infraction if such person (A) registers a motor vehicle he or she does not own, or (B) operates, allows the operation of, parks or allows the parking of an unregistered motor vehicle on any highway, or (2) a resident of this state who operates or parks a motor vehicle such resident owns with number plates issued by another state on any highway shall be fined two hundred fifty dollars, except that the fine shall be suspended for a first time violator who presents proof of registration for the motor vehicle subsequent to the violation but prior to the imposition of a fine. If the owner of a motor vehicle previously registered with the commissioner, the registration of which expired not more than [thirty] sixty days previously, operates, allows the operation

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of, parks or allows that parking of such a motor vehicle, such owner shall be fined the amount designated for the infraction of failure to renew a registration, but the right to retain his or her operator's license shall not be affected. Such infraction shall be a secondary violation. No operator other than the owner shall be subject to penalty for the operation or parking of such a previously registered motor vehicle. As used in this subsection, the term "unregistered motor vehicle" includes any vehicle that is not eligible for registration by the commissioner due to the absence of necessary equipment or other characteristics of the vehicle that make it unsuitable for highway operation, unless the operation of such vehicle is expressly permitted by another provision of this chapter or chapter 248.

- Sec. 13. Subsection (d) of section 14-41 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October* 1, 2023):
- (d) The commissioner may, at least fifteen days before the date on which each motor vehicle operator's license or identity card expires, notify the holder of such license or identity card of the expiration date, in a manner determined by the commissioner. The commissioner shall not provide such notification by mail to any such licensee or identity card holder if the United States Postal Service has determined that mail is undeliverable to the address for such person that is documented in the records of the Department of Motor Vehicles. Any previously licensed operator who operates a motor vehicle within sixty days after the expiration date of the operator's license without obtaining a renewal of the license shall be fined in accordance with the amount designated for the infraction of failure to renew a motor vehicle operator's license. Any such infraction shall be a secondary violation. Any operator so charged shall not be prosecuted under section 14-36 for the same act constituting a violation under this section but section 14-36 shall apply after the sixty-day period.
- Sec. 14. Section 14-45 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):

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(a) A person holding (1) a license for the operation of a motor vehicle, issued by the Commissioner of Motor Vehicles in accordance with section 14-36, or (2) an identity card, issued by said commissioner in accordance with section 1-1h, shall notify the commissioner within forty-eight hours of any change of such person's address. The notification shall include such person's old address and new address.

- (b) In IV-D support cases, as defined in subdivision (13) of subsection (b) of section 46b-231, upon written notification by the Department of Social Services that the address listed for the holder of a motor vehicle operator's license or the holder of an identity card is incorrect, the Commissioner of Motor Vehicles shall notify the operator that the correct address must be furnished to the department. The commissioner shall refuse to issue or renew a motor vehicle operator's license if the address furnished by the applicant is determined to be incorrect. The department shall notify the Department of Social Services of the current address of holders of motor vehicle operator's licenses when a change of address is reported.
- (c) Failure of the holder of a motor vehicle operator's license or identity card to give the notice required by this section shall be an infraction and a secondary violation.
- Sec. 15. Section 14-213 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):
- Each operator of a motor vehicle shall carry his operator's license while operating such vehicle. Failure to carry such operator's license as required by the provisions of this section shall be an infraction and a secondary violation.
- Sec. 16. Section 14-215b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):
- Any person whose motor vehicle operator's license has been suspended who operates a motor vehicle after the expiration of such period of suspension without obtaining the reinstatement of such

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- 825 license shall (1) during the first sixty days after such expiration, be 826 deemed to have failed to renew such license and be subject to the 827 penalty for failure to renew a motor vehicle operator's license under 828 subsection (c) of section 14-41, and such infraction shall be a secondary 829 violation, and (2) after said sixty-day period, be subject to the penalty 830 for operating a motor vehicle without a license under section 14-36. Any 831 operator so charged shall not be prosecuted under section 14-215 for the 832 same act constituting a violation under this section.
- Sec. 17. Section 14-21b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):
- 835 (a) The commissioner shall issue fully reflectorized safety number 836 plates for new registrations and renewal registrations issued on and 837 after January 1, 2000, for passenger, combination and commercial 838 registrations and other registrations as the commissioner deems feasible 839 within funds and personnel available. Each plate shall bear the words 840 "Constitution State" and "Connecticut". The commissioner shall issue 841 two fully reflectorized safety number plates in accordance with a 842 schedule established by the commissioner in such quantities as the 843 commissioner deems feasible within the funds and personnel available. 844 No safety fee shall be charged for the issuance of the replacement 845 number plates for such renewals.
 - (b) No additional charge shall be made for the issuance of such new or replacement fully reflectorized plates, except for the safety fee provided for in subsection (w) of section 14-49.

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- (c) The owner or lessee of each registered motor vehicle who is issued two fully reflectorized safety number plates by the commissioner shall display such plates on such motor vehicle as provided in section 14-18, as amended by this act. A violation of this subsection shall be an infraction and a secondary violation.
- Sec. 18. Subsection (e) of section 14-80 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October* 1, 2023):

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(e) Every motor vehicle shall, when operated on a highway, be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than two hundred feet, but no horn or other warning device shall emit an unreasonably loud or harsh sound or a whistle. A violation of this subsection shall be a secondary violation.

Sec. 19. Section 14-99 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):

- (a) Each motor vehicle shall be equipped with a mirror attached to and so located and adjusted on such vehicle as to give the operator thereof a clear reflected view of the highway directly to the rear of or on a line parallel to the left side of the body of such motor vehicle. Any such infraction shall be a secondary violation.
- (b) Any person operating a motor vehicle with a commercial registration so constructed or which may be so loaded that the operator is prevented from having a free and unobstructed view of the highway immediately to the rear and at the left side of the same shall, by means of such mirror, make frequent observations of the approach of vehicles from the rear. When operating at below the posted speed limits and when so approached or overtaken, the operator of such motor vehicle shall drive to the extreme right of the traveled way as promptly as safety will permit, giving the vehicle approaching from the rear opportunity to pass.
- (c) Violation of any provision of this section shall be an infraction.
- Sec. 20. Section 14-285 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):

Each vehicle, except a motor vehicle, which is so constructed or which is so loaded that the driver is prevented from having a free and unobstructed view of the highway immediately to the rear and at the sides of the same, shall be equipped with a mirror or reflector attached to and so located and adjusted on such vehicle as to give the operator

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thereof a clear reflected view of the highway directly to the rear on a line parallel to the side of the body of such vehicle. Any person operating such a vehicle shall make observations for the approach of vehicles from the rear and, when so approached, shall drive to the right of the center line of the traveled way as promptly as safety will permit, giving the vehicle approaching from the rear opportunity to pass in safety. Any person who violates any provision of this section shall be deemed to have committed an infraction and be fined fifty dollars for each offense. Any such infraction shall be a secondary violation.

This act shall take effect as follows and shall amend the following		
sections:		
Section 1	October 1, 2023	New section
Sec. 2	October 1, 2023	14-1
Sec. 3	October 1, 2023	14-212(1)
Sec. 4	October 1, 2023	14-99g(f) and (g)
Sec. 5	October 1, 2023	14-18(a) to (c)
Sec. 6	October 1, 2023	14-96a
Sec. 7	October 1, 2023	14-96c
Sec. 8	October 1, 2023	14-96d
Sec. 9	October 1, 2023	14-96e
Sec. 10	October 1, 2023	14-96y
Sec. 11	October 1, 2023	14-99f
Sec. 12	October 1, 2023	14-12(a)
Sec. 13	October 1, 2023	14-41(d)
Sec. 14	October 1, 2023	14-45
Sec. 15	October 1, 2023	14-213
Sec. 16	October 1, 2023	14-215b
Sec. 17	October 1, 2023	14-21b
Sec. 18	October 1, 2023	14-80(e)
Sec. 19	October 1, 2023	14-99
Sec. 20	October 1, 2023	14-285

Statement of Purpose:

To establish secondary traffic violations and prohibit a law enforcement officer from stopping a motor vehicle for a secondary traffic violation.

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[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

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